

A removable elastic positioning appliance comprising:

a shell having a hollow cavity shaped to receive and reposition teeth from a first orientation to a successive orientation, said shell having a chamel with a first wall adapted to engage the buccal surface of the teeth and a second wall adapted to engage the lingual surface of the teeth, the walls each having a continuous terminus along an edge thereof, wherein a first continuous protrusion is disposed along the edge of the first wall and a second continuous protrusion is disposed along the edge of the second wall, each continuous protrusion spanning the length of each edge and sized to fit in the undercut of the teeth and contact the teeth along the length of the gingival margin and interdental areas of the teeth on both the buccal side and the lingual side of the teeth to hold the appliance in position.

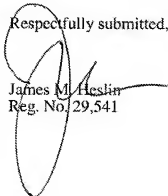
The subject matter of claim 32 is not disclosed in either Parker or Bergersen, alone or in combination. For example, neither reference discloses the required "protrusion spanning the length of each edge and sized to fit in the undercut of the teeth and contact the teeth along the length of the gingival margin and interdental areas of the teeth on both the buccal side and the lingual side of the teeth to hold the appliance in position". As seen in Fig. 10 and described in the paragraph spanning columns 8 and 9 of Parker, projections 60 and 62 of lie only on the buccal side of the teeth. In contrast, the continuous projection of claim 32 contacts the teeth on both the buccal and the lingual side of the teeth as can be seen in Fig. 15B. Bergersen discloses an orthodontic appliance but having no protrusions whatsoever.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


James M. Heslin
Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
Attachments
JMH:djc/jke
61266977 v1